

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

Mary Kallenborn, individually and on)
behalf of all others similarly situated,)

Plaintiff,)

v.)

No. 12 C 6056

J.C. Christensen and Associates, Inc., a)
Minnesota corporation, LVNV Funding,)
LLC, a Delaware limited liability)
company, and Resurgent Capital)
Services, L.P., a Delaware limited)
partnership,)

Judge Durkin

Defendants.)

MOTION TO AWARD ATTORNEYS' FEES AND COSTS

Class Counsel hereby submits this motion, pursuant to F.R.C.P. Rules 23(h) and 54(d)(2), to award attorneys' fees and costs for the litigation of this matter. In support of this motion, Class Counsel states:

1. The Class Action Complaint in this matter was filed on August 1, 2012.
2. The Settlement Agreement, dated November 12, 2012, provided that the Defendants are to pay Class Counsel's attorneys' fees and costs in an amount to be negotiated between the parties, subject to approval by this Court, or in the amount awarded by this Court in a contested fee petition.
3. Attached as Exhibit A is the Declaration of Class Counsel, David J. Philipps, which shows that his firm has incurred more than \$19,358.76 in fees and costs in prosecuting this matter on behalf of Plaintiff and the Class. Philipps & Philipps, Ltd.'s contemporaneous time and expense records for the work in this matter are attached to the Declaration as Exhibit 1.

4. The total amount of attorneys' fees and costs that will have been incurred, through the date of the fairness hearing, is \$19,358.76, out of which Defendants have agreed to pay \$15,000.

WHEREFORE, Class Counsel hereby requests that this Court award counsel \$15,000 for their attorneys' fees and costs.

Respectfully submitted,

By: /s/ David J. Philipps
Class Counsel

Dated: February 19, 2013

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CERTIFICATE OF SERVICE

I hereby certify that on February 19, 2013, a copy of the foregoing **Motion To Award Attorneys' Fees and Costs** was filed electronically. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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